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**UMER HAYAT SENTENCED FOR MAKING A FALSE STATEMENT  
TO THE FBI, U.S. CUSTOMS AND BORDER PROTECTION**

SACRAMENTO--United States Attorney McGregor W. Scott announced that UMER HAYAT, 48, of Lodi, California was sentenced today by United States District Judge Garland E. Burrell, Jr. to time served, 36 months supervised release, a fine of \$3,600 and a special assessment of \$100. The defendant pleaded guilty before Judge William B. Shubb on May 31, 2006 to making a false statement to the Federal Bureau of Investigation (FBI) and United States Customs and Border Protection (CBP).

According to Assistant United States Attorneys S. Robert Tice-Raskin and Laura L. Ferris, who prosecuted the case, Judge Burrell followed the plea agreement reached between the parties and sentenced the defendant to time served which amounts to approximately 330 days incarceration.

This case is the product of an extensive joint investigation by the FBI, CBP, and the Sacramento Joint Terrorism Task Force, which is comprised of federal, state, and local law enforcement.

"Umer Hayat stands a convicted felon for having lied to federal agents in trying to smuggle \$28,000 in cash out of the country. He has served a nearly year-long sentence and will be on supervised release for the next three years. This plea agreement avoided the need for a second jury trial after the first deadlocked. Justice has been served," said United States Attorney Scott.

**Guilty Plea**

When UMER HAYAT pleaded guilty on May 31, 2006 he admitted that he lied to the FBI and CBP in April 2003 when he falsely told officials that he and his family were only carrying \$10,000 on their persons, when, in fact, they were carrying in excess of \$28,000.

On April 19, 2003 UMER HAYAT and his family, including his son HAMID HAYAT, were traveling from California to Pakistan with an intermediate stop and change of flight at Washington-Dulles International Airport. (It was on this trip to Pakistan that HAMID HAYAT attended the jihadi training camp, for which he was convicted by a federal jury on April 25, 2006 for providing "material support to terrorists.") The Hayat family was detained by CBP and the FBI when they entered a jetway at the Washington-Dulles Airport to board a United Airlines flight. When a CBP inspector asked defendant if he had anything to declare, UMER HAYAT

replied that he did not. (By law, any person transporting or attempting to transport currency or other monetary instruments in an aggregate amount exceeding \$10,000 at one time from the United States to any foreign place must file a report with U.S. Customs). The inspector again asked defendant if he had any cash with him to declare and reminded him that individuals who carry more than \$10,000 out of the United States must declare such funds. Defendant then stated that he had \$10,000 and produced two plain white envelopes from his waistband, each containing \$5,000.

The inspector then asked if there was any more money and whether the money was for himself or the entire family. Defendant stated that there was not any more money and that it was for the whole family. The inspector then asked yet again if there was any more money and the defendant replied in the negative. The family then was advised that they and their bags would be searched for money. When HAMID HAYAT was approached by inspectors, he removed two plain white envelopes from his pockets, each containing \$5,000. When UMER HAYAT's wife, Oma Salma Hayat, was approached, she indicated that she had money and subsequently produced a plain white envelope later determined to contain \$8,053. In total, contrary to the statement made by defendant, the family was carrying an aggregate sum of \$28,053.

Defendant was thereafter questioned on the jetway regarding the money carried by him and his family and he made a series of differing statements regarding the source of the money. Defendant first stated that he was self-employed as an ice cream salesman and that the money seized from him was from his business. Defendant advised that his wife worked and that the money she held was her own. Later during the same conversation, defendant indicated that much of the money represented wedding gifts from his friends for the upcoming marriages of his daughter Najia and son HAMID. When later questioned at the Customs office regarding the money, defendant stated that he took a \$9,900 cash advance on one of his Bank of America credit cards before the flight. A short time later, defendant stated that a large portion of the money was from friends of his in the United States that was intended to be given to families of these friends in Pakistan.

Under the terms of the plea agreement, the government recommended that the defendant receive a time-served sentence and a term of three years supervised release. At sentencing the defendant joined in the request for time served as provided in the agreement and by the United States Probation report. In all, defendant has served 330 days of pretrial detention in jail and almost four months home confinement. In exchange for the plea, the government moved, and the court ordered, dismissal of all previous charges filed against UMER HAYAT.

### Dual Jury Trial

This sentencing follows a dual jury trial in which a federal jury considered an indictment against the defendant UMER HAYAT alleging two counts of making false statements in connection with his son's attendance at a jihadi training camp and his knowledge of jihadi training camps. On April 25, 2006, the dual jury trial resulted in a mistrial as to UMER HAYAT, with jurors deadlocked 7-5 guilty on Count One and 6-6 on Count Two, and resulted in convictions on all counts against HAMID HAYAT, son to Umer Hayat, including one count of providing material support or resources to terrorists and three counts of making false statements to the FBI in matters related to international/domestic terrorism.

The HAMID HAYAT jury found that UMER HAYAT's son provided himself as "material

support" between March 2003 and June 2005 by attending a jihadi training camp, and subsequently attempted to conceal his training from the FBI, knowing and intending that his training would ultimately be used to prepare for and carry out acts of terrorism in the United States. The jury further found HAMID HAYAT guilty of making false statements to the FBI on June 3 and June 4, 2005 when he falsely stated that he had never attended a jihadi camp, that he had never received weapons or other types of jihadi training, and that he had never received training to fight against the United States.

A motion and status hearing have been scheduled in the HAMID HAYAT matter regarding defendant's motion for a new trial and/or judgment of acquittal, as well as sentencing, on November 17, 2006.

The maximum penalty for all charges against defendant HAMID HAYAT is 39 years of imprisonment.

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